REMARKS/ARGUMENTS

Claims 1-18 were rejected by the Examiner. Claims 2, 6, 8, 10 and 15 have been canceled without prejudice, and the remaining claims have been amended. Applicant respectfully requests consideration by the Examiner in view of the following remarks. Claims 1, 3-5, 7, 9, 11-14 and 16-18 remain pending in this application.

Objection to the Drawings

Applicant thanks the Examiner with her careful review of the drawings. Applicant proposes to address the comments made by the Examiner by amending the drawings as indicated in red on the enclosed photocopies of Figs. 1, 5 and 11.

With respect to the Examiner's suggestion of labeling element 11 as "network 2", this would be incorrect. Element 11 is a T1 line. Applicant labeled network 10 and network 10' as "NETWORK" in order to provide a response for the examiner. Likewise, Applicant labeled the computers 16 as "COMPUTER" and servers 18 as "SERVERS."

Applicant does not understand the Examiner's point with regards to elements 16 and 18. However, it is expected that the legends required by the Examiner satisfy her concerns. Furthermore, Applicant is unaware of the problem of having reference element 706 pointing to two types of actions. Would it be better if the two were encircled and having the element 706 point to the circle? Clarification is respectfully requested.

The Examiner also required that all parts of Figs. 1 and 5 be provided with a reference numeral or a legend. Since the only part of these figures that were not provided with a numeral or a legend was the universally understood digital storage symbol, Applicant addressed this requirement by labeling the storage symbol as "STORAGE."

The Examiner's comments concerning the decision operation "1108 in Fig. 11" is not understood, even with Applicant assuming that the Examiner meant Fig. 10B. The

decision operation 1108 must include at least two outputs (in this case "no" or "yes"), or a decision is not made. Clarification is requested.

In view of the foregoing, Applicant believes that he has addressed the concerns of the Examiner, and respectfully requests the withdrawal of the objections to the drawings or further clarification.

Rejections under 35 U.S.C. §103(a)

Claims 1-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,930,471 to Milewski et al. (hereafter "Milewski") in view of Japanese Patent No. JP411143936A to Ariyama et al. (hereafter "Ariyama"). Applicant notes that both Milewski and Ariyama are not prior art under 35 U.S.C. §102(b) but, rather, appear to be prior art under 35 U.S.C. §102(e) and 35 U.S.C. §102(a), respectively. Applicant reserves the right to swear behind one or both of these references at a future date.

Furthermore, the pending claims have been amended to expedite the prosecution of this application and to correct dependencies due to the canceled claims. Applicant traverses the rejections of the original claims, and reserves the right to reintroduce those claims and claims of similar scope in continuing applications.

The Cited Art

Milewski teaches a communications system that facilitates transactions between a sender and a plurality of recipients as part of an electronic messaging system. Messaging means enable a sender to form an electronic template containing a message in the form of a structured response object for a recipient as part of a transaction between a sender and a recipient(s). Controller means receive and store the message in a virtual mailbox assigned to the transaction for access by the sender and the recipient(s). The controller means generate and send to the recipients an indicator or pointer identifying the message at an address for the virtual mailbox. The recipient(s) use the pointer address to view the electronic message in the form of a structured object response at the virtual mailbox in the controller. The recipient may ignore or file the message or send a response to the virtual mailbox. The response or

lack of response to the structured object response by the recipient (s) is tracked and recorded by the controller. The status of the transaction is updated as reflected by the structured object response(s) and summarized for display by the controller upon inquiry by the sender. A reminder of a response due to a transaction is sent by the controller to the recipient(s) when selected from the summary display by the sender. When the transaction between the sender and recipient(s) ends, for one reason or another, the electronic message is erased from the virtual mailbox. This reference would appear to be prior art under 35 U.S.C. 102(e) only.

Ariyama is an untranslated Japanese patent provided with a two paragraph abstract written in English. The first paragraph labeled "PROBLEM TO BE SOLVED" reads that the invention is directed to providing a schedule management device which can effectively supply schedule reminding notifications to a user. The second paragraph labeled "SOLUTION" indicates that the "reminding notification condition" that is previously set for a user is managed at a notification management part 5, and that the notification contents of the schedule information included in a notification period that is coincident with the reminding notification condition are edited at an editing part 6. An execution part 7 via an output part 3 provides a notification means such as a FAX terminal 14, electronic mail terminal 15, etc. This reference would appear to be prior art under 35 U.S.C. 102(a) only.

The Cited Art Distinguished

Milewski is, essentially, a fancy, special purpose e-mail system. Reminders may be sent to e-mail recipients who had not responded to a requested survey or the like. Reports as to responses can be provided to other persons, also by e-mail. However, it is not an automated reminder and/or report system which utilizes a docketing database in order to automatically notify selected recipients of their deadlines and action item status. Ariyama, to the extent that it can be understood, adds nothing to Milewski with respect to this matter.

In one aspect of Applicant's invention, a docketing program is opened, a report is run, and it is saved for further processing. When it is determined that it is time to send

a reminder notification, report notification, or both, the report is processed and action items within a given range are automatically processed into a suitable e-mail report for an intended recipient. The reports can be processed by a parsing and filtering technique to obtain the desired results.
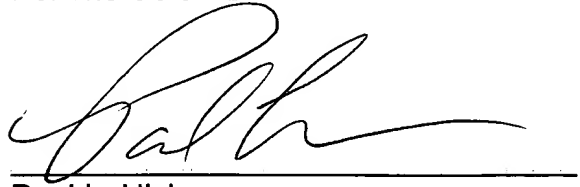
Nowhere does the combination of Milewski and Ariyama teach such a process. Since the elements of opening a docketing program, running a report, saving the report, and processing the report for action items within a range are in all of the independent claims, they are all patentable over this combination. Furthermore, the dependent claims are patentable for at least the same reasons. Applicant therefore respectfully requests that the rejection of the claims be withdrawn.

Conclusion

In view of the foregoing, the applicant submits that the amended drawings are not objectionable and that the claims pending in the application patentably define over the prior art. A Notice of Allowance is therefore respectfully requested.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4300.

Respectfully submitted,
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